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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent

In re patent application of: MA

Serial No.: 09/336,741 Examiner Hewitt

Filed: June 21, 1999 Art Unit 2161

For: APPLICATION APPARATUS AND METHOD Docket No. P06396US0/DEJ

REQUEST FOR RECONSIDERATION

Commissioner for Patents
Washington, D.C.

S I R:

In response to the final Office Action dated May 2, 2002, (and consistent with the Notice of Appeal filed concurrently herewith) reconsideration of the final rejection and allowance of the above identified application is requested for the following reasons.

In the outstanding final action, the Examiner now rejects claims 1 to 47 as obvious in the light of (previously applied) Norris, in view of (previously applied) Fraser *et al.* and now further in view of (newly cited) Hartman *et al.* Applicant maintains its comments against the relevance of Norris and of Fraser *et al.* detailed in the submission of 11 February 2002. With respect to the newly cited Hartman *et al.* (US Patent No. 5,960,411), applicant has the following comments.

The Examiner contends that Hartman *et al.* teach a method for optimizing electronic form processing by providing a sequence of forms to a user so that the requesting of unnecessary information in those forms is avoided. The Examiner refers specifically to figures 1C, 3, 4, 8A, 8B and 8C, and to column 2 lines 59 to 67, column 4 lines 35 to 58, column 5 lines 8 to 26, column 7 lines 3 to 23 and column 9 lines 8 to 53.

It is submitted that, while Hartman *et al.* may address a problem in the same field as that of the present invention, the approach taken is quite distinct from the form generation aspect of the present claims.

Thus, referring to each of the passages identified by the Examiner, the following comments apply.

- Column 2, lines 59 to 67. This passage merely relates to the broader aspect of submitting applications over a communications network and the generation of orders, but it does not specifically relate to the generation of forms by which the nature of those orders can be dictated.
- Column 4, lines 35 to 58. This passage describes the information sent from the server system to the *purchaser*. The server system "sends only enough information so that the purchaser is confident that the server system correctly identified the purchaser but yet not enough information to be useful to an unscrupulous interceptor" (column 4 lines 43 to 46). This is a security measure, but it does not in any way relate to the unfilled data fields provided in a form for the purchaser to complete and return to the system. No reference is made to omitting redundant data fields from such a form, or to adding additional data entry fields based on information gathered from an *earlier* form.
- Column 5, lines 8 to 26. This passage discusses the use of "single-action ordering", where—apart from the item desired by the purchaser—all other information is already held by the server system. If the server system does *not* have sufficient information, "the server system can provide a Web page to collect the additional information that is needed" (column 5 lines 22 to 24).

However, there is no disclosure or teaching of what such a Web page would contain. The Examiner, possibly in the light of the present invention, may imagine that such a Web page would be generated in the manner defined in the present claims, that is, omitting redundant data entry fields and including extra or supplementary data entry fields as (and only as) required. There is, however, no disclosure whatsoever of this approach in the cited document, and no suggestion that the Web page generated according to the teaching of Hartman *et al.* would be other than a generic Web form to suit all circumstances. One might speculate that, at most, the server system would present a Web form selected from a library of Web forms (though in reality there is not even a disclosure of this more sophisticated approach), but in any event this would still fall outside the teaching of the present invention which requires the system to construct second and subsequent forms "progressively" on the basis of information provided by the applicant in previously completed and submitted forms. There is certainly no disclosure in Hartman *et al.* of that approach.

- Column 7, lines 3 to 23. This passage is comparable to the disclosure of column 4 lines 35 to 58, and relates to the information sent by the *system* to the purchaser. Identification information sent to the purchaser is kept to a minimum for security reasons. This has no bearing on the manner in which the order form is itself generated or presented. Indeed, this passage continues by explaining that "the server system generates a *standard* shopping cart-type Web page for the item" (column 7 lines 16 to 18, emphasis added), emphasizing the standard nature of the forms actually presented to the purchaser.

- Column 9, lines 8 to 53. This passage discusses the manner in which lengthy web forms can be presented to a user in a convenient manner that avoids the user having to scroll through a lengthy single web form.

The disclosed solution, however, is entirely distinct from the approach of the present invention. This passage makes no reference to constructing forms "on the fly" on the basis of previously submitted information, to thereby minimize the length of the forms. Rather, the form is presented as a plurality of "sections", each section appearing on the screen in the equivalent of thumbnail form. These sections can be expanded to useable size, completed, and, when the next form is selected and expanded, the previous form is collapsed. Thus, the statement from column 9 line 29 is:

> Upon completion the user selects either the next or previous button. The next button causes section A to be collapsed and section B to be expanded so that financial information can be entered.

There is no disclosure in this passage, therefore, of the nature of each section (corresponding, presumably, to the plurality of forms of the present invention) but they appear to be fixed in content before being present to the user. There is no disclosure or teaching, for example, that section B is modified *in the light of* the information submitted in section A. Indeed, the passage quoted above refers to the user selecting "either the next or previous button", so there is not even a prescribed order in which the sections/forms must be completed. This teaches against, it is submitted, the sequential construction of forms, based on previously submitted information, according to the present invention.

Accordingly, it is submitted that this approach of Hartman *et al.* does not in any way anticipate the form customization approach of the present invention as claimed.

The figures referred to by the Examiner merely illustrate the disclosure of each of referenced passages and hence are of no further interest.

Therefore, in view of all of the above, it is submitted that the disclosure of Hartman *et al.* when added to the combination of Norris and Fraser *et al.* does not add any teaching concerning form construction comparable to the approach of the present invention. It is also submitted that, just as—as previously argued—the combination of Norris and Fraser *et al.* neither anticipates nor renders obvious the present invention—nor does that combination augmented by the disclosure of Hartman *et al.*

In conclusion, it is submitted that the present invention as defined in the claims is patentable over the cited art; so that the present application is in condition for allowance and such action is solicited.

Respectfully submitted,

Date: September 30, 2002

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